

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 27TH JUNE 2007 / 6TH ASHADHA 1929

Bail Appl..No. 3842 of 2007(A)

CMP.3380/2007 of JUDL.MAG.OF FIRST CLASS-I,TIRUR
CRIME NO. 283/2006 of KUTTIPPURAM POLICE STATION
.....

PETITIONER/6TH ACCUSED:

ABDUL RASSAC @ RASSAC, S/O.ABBAS,
VALIYA PARAMBIL HOUSE, MUPATHADAM P.O.,
KODUNGALLOOR, PARAVOOR TALUK.

BY ADV. SRI.K.P.SUDHEER

RESPONDENTS: COMPLAINANT:

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM, REPRESENTING SUB INSPECTOR OF POLICE
KUTTIPPURAM POLICE STATION.

BY ADV. SRI. S.U.NAZER, PUBLIC PROSECUTOR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 27/06/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

R.BASANT, J

B.A.No.3842 of 2007

Dated this the 27th day of June, 2007

ORDER

Application for regular bail. Petitioner along with co-accused faces allegations, inter alia, under Sections 302, 396 IPC. The alleged incident took place at about 4 p.m. on 22.11.2006. The petitioner along with other accused with their common intention to commit decoity, allegedly attack the employees of a company, who were travelling in a car along the National Highway. The persons travelling with money in the car were attacked. One of them succumbed to the injuries and other had suffered grievous injuries. Petitioner was allegedly driving the car, which was hired by the other accused. Petitioner was arrested on 1.05.07 and continues in custody from that date. The learned counsel for the petitioner submits that the petitioner is absolutely innocent and he may be enlarged on bail.

2. The learned Public Prosecutor opposes the application and submits that, in the facts and circumstances of the case, the petitioner is not entitled to be enlarged on bail at this early stage.

3. I am persuaded to agree that this is not a fit case where the petitioner can or ought to be released at this early stage of investigation. In a serious crime like the instant one, the Police are

certainly entitled for a reasonable further time to complete the investigation.

4. This petition is, in these circumstances, dismissed. I may hasten to observe that the petitioner shall be at liberty to move this Court again for bail at a later stage of the investigation-not, at any rate, prior to 11.7.07. The Investigators shall, in the meantime, make every endeavour to complete the investigation.

(R.BASANT, JUDGE)

sj